

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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IN RE: BAIR HUGGER FORCED AIR  
WARMING PRODUCT LIABILITY  
LITIGATION

MDL No.: 15-md-02666 (JNE/DTS)

This Document Relates To:

DENNIS BARKER,

Civil Action No.: 17-cv-03806

Plaintiff,

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**DECLARATION OF LESLIE BARKER IN SUPPORT OF  
PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO DISMISS**


I, Leslie Barker, declare as follows:

1. I am the widow and next of kin of Plaintiff Dennis Barker in the above-captioned matter.
2. I submit this declaration in opposition to Defendants' Motion to Dismiss for Failure to Comply with Pretrial Order No. 23 [Dkt. 1740] filed on February 7, 2019.
3. My husband Dennis Barker passed away on September 14, 2018.
4. I was aware my husband was in communication with a law firm regarding a possible lawsuit related to his hip infection, but I did not know the name or phone number of the law firm, the defendant involved, the court where any case was filed, or the case number.

5. After the passing of my husband, it did not occur to me that I would need to contact the law firm handling his case, even if I knew the name of the firm.
6. In the months following my husband's passing, I was overcome with grief due to losing him. I was even more upset about his death with the upcoming holidays, and it was a very difficult time for me personally. His death was unexpected and came as a bit of a shock. I was overwhelmed with planning a funeral and getting our finances in order, that I did not once think about his pending lawsuit.
7. I did not know that Kennedy Hodges was the law firm that had filed a case on behalf of my husband until I was contacted by an individual from the firm on February 8, 2019.
8. I was appointed as the Independent Executrix of my husband's estate on November 12, 2018 by the Harris County Probate Court No. 2.
9. I have every intention of pursuing my husband's claim on behalf of his estate.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

February 14, 2019

  
Leslie Barker